

VZCZCXRO7683

RR RUEHDBU RUEHNL RUEHSK RUEHVK RUEHYG

DE RUEHYE #0300/01 1261417

ZNR UUUUU ZZH

R 061417Z MAY 09

FM AMEMBASSY YEREVAN

TO RUEHC/SECSTATE WASHDC 9004

INFO RUCNCIS/CIS COLLECTIVE

RUEHLMC/MILLENNIUM CHALLENGE CORPORATION WASHINGTON DC

RUEHNO/USMISSION USNATO 0699

UNCLAS SECTION 01 OF 03 YEREVAN 000300

SENSITIVE

SIPDIS

DEPT FOR DRL AND EUR/CARC

E.O. 12958: N/A

TAGS: PGOV PREL KTIP KCRM HSTC AM

SUBJECT: ORGANIZED TRAFFICKING GROUP BUSTED - MAIN FELON GETS THIRTEEN YEARS

YEREVAN 00000300 001.2 OF 003

SUMMARY

¶1. (SBU) On April 20 a Yerevan court sentenced four women on tracking charges to sentences ranging from one to 13 years in prison. The 13-year sentence is the highest trafficking penalty in Armenia so far. The group was charged for trafficking women from Yerevan to Dubai mainly via Moscow beginning from 2002, where the "boss" - notorious pimp Anush Martirosian - forced them into prostitution. The Judge and prosecutors demonstrated professionalism in handling the case and sensitivity in dealing with the victims. END SUMMARY.

TRAFFICKING, PIMPING AND BRIBERY

¶2. (SBU) The trial began on February 6, 2009. The defendants - Anush Martirosian, her two sisters Sofia Martirosian and Sonia Gabrielian, and Mariam Martikian - were charged under various provisions of the trafficking and/or pimping statutes, depending on their level of involvement and activity. They were charged as an organized group, which raised the term of possible punishments for two of them up to the maximum 15 years imprisonment. Sonia Gabrielian was also facing charges for an attempt to bribe one of the victims, as she tried to persuade her to change her testimony.

DEFENDANTS PART OF A LARGER NET

¶3. (SBU) According to the case materials, a group involving over 10 persons (some of whom have not been identified yet) had established a network of well operating rings in Armenia, Moscow and Dubai, and trafficked people to Dubai for sexual exploitation. Each person in the group had her established function in recruiting, transporting and exploiting the victims. One of the victims was trafficked to Dubai as early as 2002. While the case against the four apprehended defendants went to the court, part of the criminal case is still in process and three other persons are wanted, among them notorious Dubai-based Armenian "bosses" (pimps) Marietta Muradian and Gayane Ghaltaghchian.

FORMER PROSTITUTE TURNS INTO NOTORIOUS PIMP

¶4. (SBU) The police launched the criminal case on May 21, 2008. Anush Martirosian, based in Dubai for over 10 years, was one of the ringleaders. She began her "career" as a prostitute, and after

gaining a stronghold in the country switched to pimping and trafficking. She took care of the visas and transportation expenses of the victims, and once they arrived in Dubai she took their passports and forced them into prostitution through violence and threats. There were three officially recognized victims in the case; however, in reality there were more who did not want to press charges and served only as witnesses. According to the accounts of these victims, some were lured to Dubai by false promises of jobs as waitresses, babysitters or dancers.

VICTIMS' STORIES

¶ 15. (SBU) One of the victims, however, was already engaged in prostitution in Yerevan, and the recruiters had convinced her that in Dubai she would make much more money and assured her that her passport would remain with her. This victim and her friend (also a prostitute) were transferred to the Russian city of Krasnodar in March 2007. Here the brother of a Dubai-based pimp, Gayane Ghaltaghchian, met them and took them to a local prison to service the inmates. After a week in Krasnodar they were sent to Dubai, where the pimp Gayane Ghaltaghchian sold the victim to Anush Martirosian. The victim managed to flee by getting herself arrested and, after spending two months in prison, she was deported to Armenia in May 2008, where she filed a complaint with the police.

¶ 16. (SBU) According to the victims' stories, they were treated inhumanely, and it was a common practice for the various pimps to sell them to each other. Victims said that Martirosian would also threaten them with a notorious local Arab nicknamed Ponytail Ali, who was known for taking victims to the desert where they were beaten and raped. According to one of the victims, Martirosian hit her with a metal rod when she refused to work. This victim told that she tried contacting the Armenian and Russian consulates for

YEREVAN 00000300 002.2 OF 003

help; however, since she had entered the country with a false Russian passport, the consulates kept referring her to each other. Finally the victim wrote a letter to the Department on Fighting Organized Crime of the Armenian Police, who sent her return documents and assisted in her return.

PIMP MANAGES HER BUSINESS FROM YEREVAN

¶ 17. (SBU) The roles of other defendants were not as significant; they served mainly as recruiters or mediators. In one instance in 2004 when Martirosian was in Armenia, her sister Sonia Gabrielian took care of her "business" by supervising the girls and collecting money from them. (Note: During the court hearings, various witnesses testified that in 2004 Anush specifically mentioned that she was traveling to Armenia to stand trial for pimping. Apparently she rightly foresaw that she would not face a severe penalty. End note.) At that time she was charged under the pimping statute and sentenced to a fine in the amount of AMD 200,000 (about 500 dollars) (Comment: The 2004 verdict came at a time when all trafficking and pimping cases were led by an investigator from the Prosecutor General's office, against whom repeated allegations of complicity with traffickers were made. We suspect that Anush Martirosian got off so easily at the time due to a deal made with the investigator. However, there is no direct evidence to substantiate this. End comment.)

WEAK DEFENSE

¶ 18. (SBU) The defense attorneys argued that Martirosian was neither a trafficker nor a pimp; she simply rented an apartment to women who prostituted themselves in Dubai and paid rent to Anush. However, the defendants' accounts were inconsistent with their initial testimony as well as the results of the face-to-face cross-examinations with witnesses and the victims.

HIGHLY PROFESSIONAL JUDGE AND PROSECUTORS

¶9. (SBU) Embassy staff observed almost all the hearings. The level of professionalism of Judge Yeva Darbinian and both prosecutors (Artur Davtian and Samvel Margarian) was outstanding. They were also respectful towards all parties, and especially towards the victims. Employees of the UMCOR Shelter, a lawyer from the OSCE Anti-TIP Resource center, and occasionally police investigators attended the hearings. The only media outlet that covered the hearings and published articles was the "Hetz" online news agency.

VERDICTS

¶10. (SBU) On April 20 the Judge announced the verdicts

All the defendants were found guilty on all charges, but are likely to appeal.

-- Anush Martirosian was sentenced to 6, 12, 1 and 2 years in prison under various provisions of the trafficking and pimping statutes of the criminal code, and the Judge set the combined imprisonment term as 13 years.

-- Sofia Martirosian was sentenced to 5 years in prison for trafficking.

-- Mariam Martikian was sentenced to 4 years in prison for trafficking. Her role in the case was minimal, and according to Prosecutor's office her testimony helped during the investigation.

-- Sonia Gabrielian was sentenced to 1 year in prison for helping in pimping and also to a fine of about USD 500 for bribing the victim.

COMMENT

¶11. (SBU) We judge this trial outcome a major success of our anti-TIP advocacy efforts, as the criminal justice system is finally starting to impose appropriate penalties on traffickers. The most important message from the trial is that law-enforcement bodies mean business. This case is quite similar to numerous cases that were

YEREVAN 00000300 003.2 OF 003

tried as simple trafficking or pimping before, but this time law enforcement bodies (both the Police and the Prosecutors) correctly prosecuted the case as an activity of an organized group. The publicity of this case will ensure that other traffickers will think twice about whether gaining profit through such gruesome acts is worth 13 years in prison.

YOVANOVITCH